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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,204	09/21/2005	Fabrice T P Saffre	36-1919	9523
23117 7590 02/20/2008 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER MUSTAFA, IMRAN K				
ART UNIT		PAPER NUMBER		
4182				
MAIL DATE		DELIVERY MODE		
02/20/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/550,204

**Applicant(s)**

SAFFRE, FABRICE T P

**Examiner**

IMRAN MUSTAFA

**Art Unit**

4182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SI/08)  
Paper No(s)/Mail Date 12/21/2005
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

### **Detailed Action**

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Specification***

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if

the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 rejected under 35 U.S.C. 102(e) as being anticipated by Baiada (US 2003/0139875).

As to claim 1 Baiada teaches:

a method of sequencing a plurality of candidate vehicles (Baiada Paragraph 32), wherein each candidate vehicle in said plurality of candidate vehicles is a candidate to be allocated the next place in a sequence, said method comprising the steps of:

receiving information pertaining to one of said candidate vehicles (Baiada Paragraph 159)

calculating a value to be attributed to said candidate vehicle on the basis of said received information(Paragraph 33 lines 7-14) and information received from the candidate vehicle most recently allocated a placed in said sequence.

Repeating steps i and ii for each of said candidate vehicles (Figure 15 1510, 1511)

Selecting one of said candidate vehicles based on said attributed values  
(Paragraph 156 lines 8-10);

Allocating said selected candidate vehicle the next place in said sequence  
(Paragraph 15 lines 1510, 1511).

As to claim 2 Baiada teaches of vehicles being aircraft (Paragraph 157)

As to claim 3 Baiada teaches of a sequence being that of a landing sequence  
(Paragraph 157).

As to claim 4 Baiada teaches that the received information is received from the  
candidate vehicle (Paragraph 33 lines 14-25).

As to claim 5 Baiada teaches of received information including information  
relating to the size of the candidate vehicle (Paragraph 152)

As to claim 6 Baiada teaches Of a value that is representative of the spacing that  
would have to be maintained between the candidate vehicle and the candidate vehicle  
most recently allocated a place in the sequence (Paragraph 166)

As to claim 7 Baiada teaches that the value is representative of a delay that  
would be experienced by the said candidate vehicle if said candidate vehicle was  
allocated the next place in the sequence (Paragraph 166).

As to claim 8 the claim is interpreted and rejected as claim 1.

As to claim 9 Baiada teaches of sending details of next place in said sequence to  
selected candidate vehicle (Figure 15 1510, 1511).

As to claim 10 the claim is interpreted and rejected as claim 2.

As to claim 11 the claim is interpreted and rejected as claim 3

As to claim 12 Baiada teaches:

a sequencing apparatus to sequence a plurality of candidate vehicles(Baiada Paragraph 32), wherein each candidate vehicle in said plurality of candidate vehicles is a candidate to be allocated the next place in a sequence, said data processing apparatus comprising the steps of:

receiving information pertaining to one of said candidate vehicles (Baiada Paragraph 159)

calculating a value to be attributed to said candidate vehicle on the basis of said received information(Paragraph 33 lines 7-14) and information received from the candidate vehicle most recently allocated a placed in said sequence.

Selecting one of said candidate vehicles based on said attributed values (Paragraph 156 lines 8-10);

Allocating said selected candidate vehicle the next place in said sequence (Paragraph 15 lines 1510, 1511).

As to claim 13 the claim is interpreted and rejected as claim 12.

As to claim 14 the claim is interpreted and rejected as claim 2.

As to claim 15 the claim is interpreted and rejected as claim 3.

As to claim 16 Baiada teaches a digital data carrier carrying a program of instructions executable by processing apparatus to perform the method or steps as set out in claim 1 (Paragraph 32).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IMRAN MUSTAFA whose telephone number is

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(571)270-1471. The examiner can normally be reached on Mon-Fri 7:30AM-5:00PM,Alt  
Fri, Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, Thu Nguyen can be reached on 571-272-6967. The fax phone number for  
the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the  
Patent Application Information Retrieval (PAIR) system. Status information for  
published applications may be obtained from either Private PAIR or Public PAIR.  
Status information for unpublished applications is available through Private PAIR only.  
For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should  
you have questions on access to the Private PAIR system, contact the Electronic  
Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a  
USPTO Customer Service Representative or access to the automated information  
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

02/15/2008

/Imran Mustafa/

Examiner, Art Unit 4182

Imran Mustafa

/Thu Nguyen/

Supervisory Patent Examiner, Art Unit 4182